



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
Sanberg, et al.) Examiner: Kim, Jennifer
Serial No.: 09/526,402) Art Unit: 1617
Filed: March 15, 2000) Attorney Doc. No. T103 F1016.1
For: Method of Treating Cognitive Deficits)
in Learning & Memory)

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
Alexandria, Virginia 22313-1450

Sir:

Further to the Restriction Requirement mailed January 29, 2004, Applicants provisionally elect Group I (claims 1 – 13 and 15-41) with traverse. Because a Reply was initially due February 29, 2004, Applicants have submitted herewith a Petition for a One Month Extension of Time, with authorization to charge the appropriate fee for the extension.

In the Supplemental Preliminary Amendment filed herewith, Applicants have amended all claims to refer to “partial nicotine agonists” rather than “nicotine antagonists.” Further, all claims now recite methods of treating “cognitive deficits in learning and memory.” Claim 14 (Group II) has been canceled in view of the amendment of claim 1. Accordingly, as far as the Restriction Requirement pertains to the stated Groups I and II, any alleged bases for the restriction are now moot.

Further, because the claims all now recite methods of treating “cognitive disorders in learning and memory,” Applicants believe any remaining bases asserted in support of the separate grouping of claims represented by Groups I, III, IV, and V are now also moot. As discussed in Applicants’ specification, the methods of the invention are useful in that the compounds administered provide benefits to those suffering “cognitive deficits in learning and memory.” These “cognitive deficits” are manifest in a number of conditions as indicated in

Applicants' specification, *e.g.*, schizophrenia, bipolar disorder, obsessive compulsive disorder, attention deficit hyperactivity disorder, Alzheimer's Disease, and other learning disorders (see, *e.g.*, page 1, lines 14-18); as well as executive dysfunction (see page 4, lines 3-12).

Accordingly, Applicants respectfully request reconsideration and withdrawal of the Restriction Requirement with regard to Groups I, II, III, IV, and IV. Applicants request that the claims, as amended, be examined together in the present application.

The Examiner is invited to contact Applicants' undersigned representative using the information provided below if she has any questions or comments regarding this Reply and the Supplemental Preliminary Amendment filed herewith.

Respectfully submitted,

Date: March 29, 2004



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